

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 196

Introduced by Assembly Member Mansoor

January 28, 2013

An act to ~~amend~~ *add* Section ~~16000~~ of *16000.8* to the Welfare and Institutions Code, relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

AB 196, as amended, Mansoor. Foster ~~care services~~. *parent evaluations*.

Under existing law, it is the policy of the state that all children in foster care have specified rights, including the right to live in a safe, healthy, and comfortable home where they are treated with respect, the right to be free from physical, sexual, emotional, or other abuse, or corporal punishment, and the right to receive adequate and healthy food, adequate clothing, and medical, dental, vision, and mental health services.

This bill would require the State Department of Social Services, in consultation with the County Welfare Directors Association, foster parents, caregivers, and current and former foster youth, to develop and implement a foster parent evaluation process. The bill would require that evaluation process to include a process to allow foster youth over 10 years of age and nonminor dependents to provide feedback on the quality of care received in licensed county or private foster homes and group homes at least every 6 months and upon any exit from those homes. The bill would also require the evaluation process to include the development of an evaluation tool in partnership with current and former youth and caregivers that allows youth to provide feedback on

the quality of care received, as specified, including feedback on the caregivers' honoring of the rights of foster youth. The bill would require the department to implement the foster parent evaluation process and promulgate all necessary regulations pursuant to this provision on or before January 1, 2015.

~~Existing law declares the intent of the Legislature to preserve and strengthen a child's family ties whenever possible, removing the child from the custody of his or her parents only when necessary for his or her welfare or for the safety and protection of the public. Existing law includes various provisions relating to the provision of appropriate placement and other services for children in foster care.~~

~~This bill would make a technical, nonsubstantive change to a provision relating to foster children.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 16000.8 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 16000.8. (a) The State Department of Social Services, in
- 4 consultation with the County Welfare Directors Association, foster
- 5 parents, caregivers, and current and former foster youth, shall
- 6 develop and implement a foster parent evaluation process.
- 7 (b) The evaluation process shall include, but is not limited to,
- 8 all of the following:
- 9 (1) A process to allow foster youth over 10 years of age and
- 10 nonminor dependents to provide feedback on the quality of care
- 11 received in licensed county or private foster homes and group
- 12 homes at least every six months and upon any exit from those
- 13 homes.
- 14 (2) The development of an evaluation tool in partnership with
- 15 current and former youth and caregivers that allows the youth to
- 16 provide feedback on quality of care received, including, but not
- 17 limited to, feedback on all of the following:
- 18 (A) The caregiver's participation in implementing the youth's
- 19 case plan.
- 20 (B) The caregiver's provision of excellent, nurturing parenting,
- 21 including incorporating the youth as a full member of the family,
- 22 inclusion in family activities, respect for the youth's culture,

1 religion, and ethnicity, physical or psychological needs, sexual
2 orientation, gender identification or expression, and family
3 relationships.

4 (C) The caregiver's honoring of the rights of foster youth.

5 (D) The extent to which the caregiver respects and supports the
6 youth's ties to his or her biological family, including parents,
7 siblings, and extended family members, and assists the youth in
8 visitation and other forms of communication.

9 (E) The caregiver's advocacy for the youth with the child welfare
10 system and community agencies, including schools, and health
11 and mental health providers.

12 (F) The caregiver's participation in the youth's medical,
13 psychological, and dental care, including scheduling regular health
14 and mental health exams and coordinating transportation for the
15 youth.

16 (G) The caregiver's encouragement and support of the youth's
17 educational goals and school success, including participation in
18 school activities and meetings, including Individualized Education
19 Plan meetings, assisting with school assignments, tutoring, meeting
20 with teachers, including back to school nights and other school
21 events, working with an educational representative or surrogate,
22 if one has been appointed, and encouraging and supporting the
23 child's participation in extracurricular activities.

24 (H) The caregiver's provision of developmentally appropriate
25 opportunities to allow the youth to learn and practice life skills
26 and have hands-on experiences in preparation for transition to
27 adulthood, including participation in family and rulemaking
28 decisions, cooking and cleaning, conflict resolution, assistance
29 with job and career exploration and development, assistance with
30 higher education and financial aid exploration and processes,
31 assistance accessing community resources, and encouragement
32 to learn principles of money management and financial planning.

33 (I) The caregiver's provision of opportunities to develop the
34 youth's interests and skills, including identifying and supporting
35 participation in extracurricular and enrichment activities.

36 (J) The caregiver's efforts to ensure any transition from home
37 respects the youth's developmental stage and psychological needs
38 and allows for ongoing relationships.

1 (c) The department shall implement the foster parent evaluation
2 process and promulgate all necessary regulations pursuant to this
3 section on or before January 1, 2015.

4 SECTION 1. Section 16000 of the Welfare and Institutions
5 Code is amended to read:

6 16000. ~~(a) It is the intent of the Legislature to preserve and~~
7 ~~strengthen a child’s family ties whenever possible, removing the~~
8 ~~child from the custody of his or her parents only when necessary~~
9 ~~for his or her welfare or for the safety and protection of the public.~~
10 ~~If a child is removed from the physical custody of his or her~~
11 ~~parents, preferential consideration shall be given whenever possible~~
12 ~~to the placement of the child with the relative as required by~~
13 ~~Section 7950 of the Family Code. If the child is removed from his~~
14 ~~or her own family, it is the purpose of this chapter to secure as~~
15 ~~nearly as possible for the child the custody, care, and discipline~~
16 ~~equivalent to that which should have been given to the child by~~
17 ~~his or her parents. It is further the intent of the Legislature to~~
18 ~~reaffirm its commitment to children who are in out-of-home~~
19 ~~placement to live in the least restrictive, most family like setting~~
20 ~~and to live as close to the child’s family as possible pursuant to~~
21 ~~subdivision (e) of Section 16501.1. Family reunification services~~
22 ~~shall be provided for expeditious reunification of the child with~~
23 ~~his or her family, as required by law. If reunification is not possible~~
24 ~~or likely, a permanent alternative shall be developed.~~

25 (b) ~~It is further the intent of the Legislature to ensure that all~~
26 ~~pupils in foster care and those who are homeless as defined by the~~
27 ~~federal McKinney-Vento Homeless Assistance Act (42 U.S.C.~~
28 ~~Sec. 11301 et seq.) have the opportunity to meet the challenging~~
29 ~~state pupil academic achievement standards to which all pupils~~
30 ~~are held. In fulfilling their responsibilities to pupils in foster care,~~
31 ~~educators, county placing agencies, care providers, advocates, and~~
32 ~~the juvenile courts shall work together to maintain stable school~~
33 ~~placements and to ensure that each pupil is placed in the least~~
34 ~~restrictive educational programs, and has access to the academic~~
35 ~~resources, services, and extracurricular and enrichment activities~~
36 ~~that are available to all pupils. In all instances, educational and~~
37 ~~school placement decisions shall be based on the best interests of~~
38 ~~the child.~~

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